



Federal Communications Commission
Washington, D.C. 20554

February 5, 2007

DA 07- 584

Released: February 8, 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

The Box Worldwide LLC
c/o Viacom Inc.
2000 K Street, N.W.
Suite 725
Washington, D.C. 20006

Re: The Box Worldwide LLC
WBXN-CA, New Orleans, LA
Facility ID No. 70419
File No. BRTTA-20050201BQU

Dear Licensee:

This refers to your license renewal application for station WBXN-CA, New Orleans, LA.

Section 73.3526 of the Commission's Rules (Rules) requires a commercial broadcast licensee to maintain a public inspection file containing specific types of information related to station operations.¹ Pursuant to subsection 73.3526(e)(11)(ii), each commercial television broadcast station is required to place in its public inspection file, on a quarterly basis, records sufficient to allow substantiation of the licensee's certification, in its renewal application, of its compliance with the children's television commercial limits imposed by Section 73.670 of the Rules.² This subsection of Section 73.3526 requires licensees to place such records concerning commercial limits for each quarter in the station's public inspection file by the tenth day of the succeeding calendar quarter. Where lapses occur in maintaining the public file, neither the negligent acts nor omissions of station employees or agents, nor the subsequent remedial actions undertaken by the licensee, excuse or nullify the licensee's rule violation.³

On February 1, 2005, you filed a license renewal application (FCC Form 303-S) for station WBXN-CA, New Orleans, Louisiana (File No. BRTTA-20050201BQU). In response to Section

¹ See 47 C.F.R. § 73.3526.

² See 47 C.F.R. § 73.670.

³ See *Padre Serra Communications, Inc.*, 14 FCC Rcd 9709 (1999) (citing *Gaffney Broadcasting, Inc.*, 23 FCC 2d 912, 913 (1970) and *Eleven Ten Broadcasting Corp.*, 33 FCC 706 (1962)); *Surrey Range Limited Partnership*, 71 RR 2d 882 (FOB 1992).

IV, Question 3 of that application, you certify that, during the previous license term, station WBXN-CA failed to place in its public inspection file at the appropriate times, all of the documentation required by Section 73.3526 of the Commission's Rules. In Exhibit 17 and in a January 17, 2007 amendment to the application, you indicate that in reviewing the station's public inspection file prior to the filing of the instant application, it was discovered that the station's records concerning its compliance with the children's programming commercial limits for the second and fourth quarters of 2003 were missing. You maintain that subsequently, these records were located in other station WBXN-CA files and were placed in the public inspection file.

Based upon the record before us, the violations described in your renewal application appear to have been isolated occurrences. Although we do not rule out more severe sanctions for violations of this nature in the future, we have determined that an admonition is appropriate at this time. Therefore, based upon the facts and circumstances before us, we ADMONISH you for the admitted violations of Section 73.3526(e)(11)(ii) of the Rules described in station WBXN-CA's renewal application.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to The Box Worldwide LLC at the address listed above, and to its counsel, Anne Lucey, Esq., CBS Corporation, 601 Pennsylvania Avenue, N.W., Suite 540, Washington, D.C. 20004.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau